

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60327 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- SAMASTIPUR District- Samastipur

1. Anuranjan Kumar, aged about 22 years, Gender- Male, son of Munna Singh
2. Prince Kumar, aged about 25 years, Gender- Male, son of Amit Kumar Singh
Both are resident of Village- Sadanandpur, P.S- Balia, Distt.- Begusarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Samastipur Town PS Case No.119 of 2023 dated 15.05.2023,
instituted under Sections 447, 448, 341, 323, 354-B, 363, 504,
506, 511/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case, in short, is that four unknown
miscreants came at the house of the informant by two
motorcycles and started searching the daughter of the informant
by taking her name. When the informant protested, they started
abusing him and caught the hand of wife of the informant.



When the informant did not disclose the whereabouts of his daughter, they abused and assaulted the informant and his wife. On hue and cry, nearby people came and two persons were caught while remaining two fled away. The apprehended persons told that they had come for the purpose of abduction.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that two persons were arrested at the spot, who disclosed the name of the petitioners. There is no material against the petitioners except the confession of the persons who were apprehended at the spot. There is nothing on record to show the involvement of the petitioners in the present case. It is further submitted that from perusal of the FIR itself it is clear that the allegations are general omnibus in nature. Nothing specific overt act has been attributed against the petitioner. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in Samastipur Town PS Case No.119 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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